

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

UNITED STATES OF AMERICA
V.
GERARDO BAUTISTIA-ALVARADO

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NO. 9:10-CR-6

ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT

In accordance with the court's referral order, and with consent of the parties, United States Magistrate Judge Earl S. Hines conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11; accepted defendant's plea of guilty to Count I of the Indictment in this case; and filed written *Findings of Fact and Recommendations on Guilty Plea*. The magistrate judge recommends that (a) defendant be adjudged guilty of the offense to which he has pleaded guilty, and (b) the court defer its decision to accept or reject the plea agreement until it reviews the pre-sentence report.

The parties do not object to the magistrate's findings, and the Court is of the opinion that the *Findings of Fact and Recommendation on Guilty Plea* should be accepted. It is, therefore,

ORDERED that the *Findings of Fact and Recommendations on Guilty Plea* of the United States Magistrate Judge is **ADOPTED**, and defendant, Gerardo Alvarado, is hereby **ADJUDGED GUILTY** on **Count I** of the charging **Indictment**, charging violations of Title 31, United States Code, Section 5332. The court will defer its decision to accept or reject the plea agreement until the court reviews the pre-sentence report.

So **ORDERED** and **SIGNED** this **13** day of **May, 2010**.



Ron Clark, United States District Judge